

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

American Empire Surplus)	
Lines Insurance Company,)	Civil Action No. 4:15-2218-RBH
)	
Plaintiff,)	
v.)	CONSENT ORDER LIFTING STAY
)	AND DISMISSING CASE
Selective Insurance Company)	WITH PREJUDICE
of the Southeast,)	
)	
Defendant.)	
_____)	

By Text Order filed June 10, 2016, the Court granted a stay of this declaratory judgment action pending the resolution of the underlying action captioned *Belyski v. King Kong Sushi Bar & Grill, LLC*, Civil Action Number 2014-CP-26-1791. The Court is advised that the underlying action has been settled at mediation occurring on August 29, 2017, and that a Stipulation of Dismissal was filed in that action on March 16, 2018. As a result of that settlement and a prior agreement reached by the parties to this action regarding the allocation of a settlement, if reached, the issues raised by this declaratory judgment action have been fully resolved and are now moot. Based on the foregoing, the Court hereby lifts the stay previously entered in this action, and with the consent of the parties, this action is hereby dismissed with prejudice, with both sides being responsible for their own attorney's fees and costs.

IT IS SO ORDERED.

April 11, 2018
Florence, South Carolina

s/ R. Bryan Harwell
R. Bryan Harwell
United States District Judge

WE SO MOVE AND CONSENT:

s/ Brandon Gottschall
MARK S. BARROW #1220
BRANDON GOTTSCHALL #12201

Counsel for Plaintiff

s/ Andrew F. Lindemann
ANDREW F. LINDEMANN #5070

Counsel for Defendant